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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,114	09/10/2003	Keith Gill	3129/1	3582
7590 Adams Evans P.A. 2180 Two Wachovia Center Charlotte, NC 28282		01/24/2008	EXAMINER SINGH, RAMNANDAN P	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 01/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 10px;"></div> <b>Office Action Summary</b>	<b>Application No.</b> 10/659,114	<b>Applicant(s)</b> GILL, KEITH	
	<b>Examiner</b> Ramnandan Singh	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 14-21, 23-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>Dec 15, 2003</u>  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show legends explaining the reference numerals used in the figures (1 thru 6). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(v). Corrected drawing sheets in compliance with 37 CFR 1.84(o) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures' appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated [Specification page 13, Fig. 1: "presently known in the art"]. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Priority***

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed Sep 10, 2000. It is noted, however, that applicant has not filed a certified copy of the foreign priority application as required by 35 U.S.C. 119(b).

***Claim Objections***

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Since claims 14 and 22 are missing, Examiner has cancelled claims

14 and 22 in order to preserve the original numbering.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6, 8-13, 15-18, 20-21, 23-31, 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Bruhnke [US 5,903,643].

Regarding claim 1, Bruhnke discloses a modular dialing controller (100) for use in the origination of telephone calls via a subscriber service and connecting the telephone calls to at least one operator device, the controller comprising:

- a) a main controller unit (8) [Fig. 4]; and
- b) an interchangeable subscriber service module (115a) operatively connectable to the main controller unit and operatively connectable to a subscriber service [Fig. 4]; wherein the modular dialing controller can be converted from being connectable to a first subscriber service (125a) to being connectable to a second subscriber service (125b) by disconnecting a first interchangeable subscriber service module connectable to the first subscriber service from the main controller unit and connecting a second interchangeable subscriber service module connectable to the second subscriber service to the main controller unit [Figs. 2-4; col. 3, line 31 to col. 6, line 8].

Claims 15, 24-26 and 33 are essentially similar to claim 1 and rejected for the reasons stated above.

Regarding claim 2, Bruhnke further discloses the dialing controller, wherein a different type of physical connection is required between the modular dialing controller and the first subscriber service than is required between the modular dialing controller and the second subscriber service [Fig. 4].

Regarding claim 3, Bruhnke further discloses the dialing controller, wherein the first subscriber service is a different type of service than the second subscriber service [Fig. 2-4; col. 4, lines 21-31; col. 2, lines 46-50; col. 4, lines 33-60; col. 6, lines 9-19].

Regarding claims 4, 5, 23, Bruhnke further discloses the dialing controller, wherein the first subscriber service is the same type of service as the second subscriber service with different call capacity, and wherein the first subscriber service comprises individual telephone lines, and wherein the second subscriber service comprises a different number of individual telephone lines than the at least one first subscriber service, wherein these features are inherently present with the choice of different service providers [col. 4, lines 4-31; col. 2, lines 46-50].

Regarding claims 9-12, the limitations refer to variations of different types of services provided by service providers are shown above.

Regarding claim 6, Bruhnke further discloses the dialing controller, wherein the interchangeable subscriber service module is connected to the main control unit via a subscriber service module interface [Figs. 2, 4].

Regarding claims 8, 20, Bruhnke further discloses the dialing controller, wherein the subscriber service module interface is a cable [col. 2, lines 46-50].

Regarding claims 13, 21, 27, Bruhnke further discloses the dialing controller, wherein the at least one operator device is a telephone [Figs. 1-4; col. 3, line 53 to col. 4, line 20].

Regarding claims 16-18, 28-32, the limitations are shown above.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7, 19 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruhnke as applied to claim 6 above, and further in view of Stehlin et al [US 6,307,933 B1].

Regarding claim 7, Bruhnke does not teach expressly an internal slot to accommodate a subscriber service module.

Stehlin et al teach an apparatus 10, wherein the subscriber service module interface is an internal slot [Figs. 3, 9; col. 11, lines 1-9].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Stehlin et al with Bruhnke in order to provide an alternate method of connecting a service provider to a subscriber.

Regarding claim 32, Bruhnke teaches the dialing controller (100), wherein the different subscriber service may be of the same type or service with different call capacity [Figs. 2-4; col. 5, line to col. 7, line 10; claims 1-20].

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) Korman et al [US 6,823,064 B1] disclose an enhanced terminal

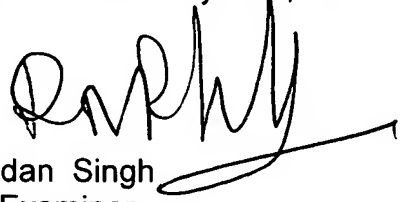


block [Fig. 2] [Whole document]; and

(ii) Leuca et al [US 6,687,374 B2] disclose a multi-service network interface [Fig. 1; Abstract].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ramnandan Singh  
Primary Examiner  
Art Unit 2614